

Attorney Docket No.: 00939A-085100US

PTO FAX NO.: 1-703-872-9317

ATTENTION: Customer Service Center
Initial Patent Examination Division

Art Unit 2818

OFFICIAL COMMUNICATION

RESPONSE TO NOTICE TO FILE MISSING PARTS OF

NONPROVISIONAL APPLICATION

FOR ENTRY IN APPLICATION NO. 09/927,303

FILED AUGUST 10, 2001

CERTIFICATE OF FACSIMILE TRANSMISSION

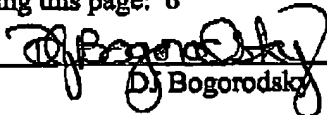
I hereby certify that the following documents in re Application of Peter Rabkin et al., Application No. 09/927,303, filed August 10, 2001 for PROCESSES AND STRUCTURES FOR SELF-ALIGNED CONTACT NON-VOLATILE MEMORY WITH PERIPHERAL TRANSISTORS EASILY MODIFIABLE FOR VARIOUS TECHNOLOGIES AND APPLICATIONS is being facsimile transmitted to the Patent and Trademark Office on the date shown below. Due to the recent disturbance with the US mail, the attached documents are being filed via facsimile. All original, executed documents are retained in our files. All original, executed documents will be submitted for review upon request by the Examiner.

Documents Attached

1. Transmittal Form (1 page)
2. Fee Transmittal (1 page submitted in duplicate, for 2 pages total)
3. Copy of Notice to File Missing Parts of Nonprovisional Application (1 page)
4. Executed Declaration (1 page)

Number of pages being transmitted, including this page: 6

Dated: November 15, 2001


D. J. Bogorodsky

PLEASE CONFIRM RECEIPT OF THIS PAPER BY RETURN FACSIMILE AT 650-326-2422

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, CA 94111-3834
Telephone: 650-326-2400 Fax: 650-326-2422

PA 3184001 v1

PTO/SB/21 (08-00)

Please type a plus sign (+) inside this box → ☒

Approved for use through 10/31/2002. OMB 0851-0031

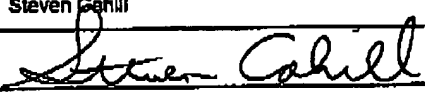
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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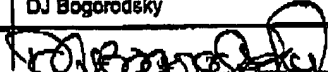
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/927,303	
	Filing Date	August 10, 2001	
	First Named Inventor	Rabkin, Peter	
	Group Art Unit	2818	
	Examiner Name	Unassigned	
Total Number of Pages in This Submission	6	Attorney Docket Number	00939A-085100US

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input checked="" type="checkbox"/> Executed declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/89) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile coversheet
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	Townsend and Townsend and Crew LLP Steven Cahill	Reg. No. 44,578
Signature		
Date	November 15, 2001	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, Fax No. (703) 872-9317 on November 15, 2001		
Typed or printed name	DJ Bogorodsky	
Signature		Date November 15, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. PA 3184007 v1

Patent fees are subject to annual revision.

Complete If Known

Attorney Docket No. 00889A-085100US

TOTAL AMOUNT OF PAYMENT	(\$)	130
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METHOD OF PAYMENT

20-1430

Townsend and Townsend and Crew LLP

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other _____

FEE CALCULATION

1. BASIC FILING FEE

Large	Entity	Small	Entity	
Fee	Fee	Fee	Fee	Fee Description
Code	(\$)	Code	(\$)	
101	740	201	370	Utility filing fee
106	330	206	165	Design filing fee
107	510	207	255	Plant filing fee
108	740	208	370	Release filing fee
114	160	214	80	Provisional filing fee

SUBTOTAL (1)

2. EXTRA CLAIM FEES

			Extra Claims		Fee from below		Fee Paid
Total Claims	<input type="text"/>	-20**	= <input type="text"/>	X	<input type="text"/>	=	<input type="text"/>
Independent Claims	<input type="text"/>	-3**	= <input type="text"/>	X	<input type="text"/>	=	<input type="text"/>
Multiple Dependent				X	<input type="text"/>	=	<input type="text"/>

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 8
104	280	204	140	Multiple dependent claim, if not paid
108	84	208	42	** Release independent claims over original patent
110	18	210	9	** Release claims in excess of 20 and over original patent

SUBTOTAL (8)

**or number previously paid, if greater. For Releases, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
105	180	206	65	Surcharge - late filing fee or oath
127	50	227	25	Surcharge - late provisional filing fee or cover sheet
139	130	139	130	Non-English specification
147	2,520	147	2,520	For filing a request for reexamination
112	920*	112	920*	Requesting publication of SIR prior to Examiner action
118	1,840*	118	1,840*	Requesting publication of SIR after Examiner action
115	110	216	55	Extension for reply within first month
116	400	216	200	Extension for reply within second month
117	920	217	480	Extension for reply within third month
118	1,440	218	720	Extension for reply within fourth month
128	1,960	228	880	Extension for reply within fifth month
119	320	219	160	Notice of Appeal
120	320	220	160	Filing a brief in support of an appeal
121	280	221	140	Request for oral hearing
138	1,510	138	1,510	Petition to institute a public use proceeding
140	110	240	65	Petition to revive - unavoidable
141	1,280	241	640	Petition to revive - unintentional
142	1,280	242	640	Utility issue fee (or release)
143	480	243	240	Design issue fee
144	820	244	310	Plant issue fee
122	130	122	130	Petitions to the Commissioner
183	50	128	50	Petitions related to provisional applications
126	180	126	180	Submission of Information Disclosure Stmt
581	40	581	40	Recording each patent assignment per property (times number of properties)
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))
179	740	279	370	Request for Continued Examination (RCE)
169	900	169	900	Request for expedited examination of a shaken application

Other tea (specify) _____

The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) **(S)130**

SUBMITTED BY _____

Name (Print/Type)

Steven Cahill

Registration No. (Attorney/Agent)

44,578

Telephone

650-325-2400

Signature

Date _____

November 15, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-8038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT WRITE IN THESE SPACES. RETURN TO: Assistant Commissioner for Patents, Washington, DC 20231. PA 3184020 v1

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UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/927,303	08/10/2001	Peter Rabkin	00939A-085100US

20350
TOWNSEND AND TOWNSEND AND CREW
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

CONFIRMATION NO. 4969

FORMALITIES LETTER

0000000008561120

Date Mailed: 09/17/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

11/30/2001 SMINASS1 00000005 201430 09927303

01 FC:105 130.00 CH

PTO/SB/21 (08-00)

Please type a plus sign (+) inside this box → ☒

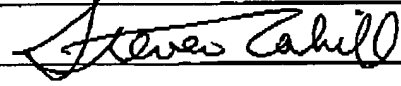
Approved for use through 10/31/2002. OMB 0651-0031

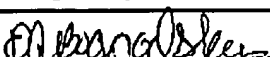
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/927,303	
	Filing Date	August 10, 2001	
	First Named Inventor	Rabkin, Peter	
	Group Art Unit	2818	
	Examiner Name	Unassigned	
Total Number of Pages in This Submission	4	Attorney Docket Number	00939A-085100US

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Executed Power of Attorney (1 pg) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Executed Statement under 37 CFR 3.73(b) (1 pg) Facsimile coversheet (1 pg)
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.
		FAX COPY RECEIVED SEP 24 2002

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		TECHNOLOGY CENTER 2800
Firm and Individual name	Townsend and Townsend and Crew LLP Steven Cahill	Reg. No. 44,578
Signature		
Date	September 24, 2002	

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, Fax No. (703) 872-9318 on September 24, 2002		
Typed or printed name	DJ Bogorodsky	
Signature		Date September 24, 2002

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#5 Power of Attorney
11.8.02
C. Moore

Attorney Docket Number: 00939A-085100US

PTO FAX NO.: 1-703-872-9318
ATTENTION: Examiner - Unassigned

Group Art Unit 2818

**POWER OF ATTORNEY AND
STATEMENT UNDER 3.73(b)**

**FOR ENTRY IN APPLICATION NO. 09/927,303
FILED AUGUST 10, 2001**

FAX COPY RECEIVED

SEP 24 2002

TECHNOLOGY CENTER 2800

CERTIFICATE OF FACSIMILE TRANSMISSION

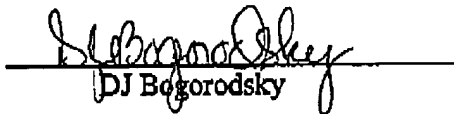
I certify that the following documents regarding application number 09/927,303, filed August 10, 2001, titled
PROCESS AND STRUCTURES FOR SELF-ALIGNED CONTACT NON-VOLATILE MEMORY WITH
PERIPHERAL TRANSISTORS EASILY MODIFIABLE FOR VARIOUS TECHNOLOGIES AND
APPLICATIONS, by Peter Rabkin et al., are being facsimile transmitted to the Patent and Trademark Office
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Number of pages being transmitted, including this page: 4

Dated: September 24, 2002


DJ Bogorodsky

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, CA 94111-3834
Telephone: 650-326-2400 Fax: 650-326-2422

PA 3252368 v1